



07-28-2003

U.S. Patent & TMOs/TM Mail Rpt Dt: #57

APPLICANT'S NAME: Mongol Nation

APPLICANT'S ADDRESS: 1115 W. Foothill Blvd.
Azusa, CA 91702

MEMBERSHIP MARK: to indicate membership in an association of
persons interested in the recreation of riding motorcycles

Date of First use: January 20, 1969

Date of First Use in Commerce: January 20, 1969

International Class: 200

Mark: MONGOLS

U.S. Patent & TMOs/TM



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TRADEMARK APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

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July 21, 2003

U.S. Department of Commerce
Commissioner of Trademarks
Box New App/Fee
2900 Crystal Drive
Arlington, VA 22202-3513

Re: Serial # 76/513845
COLLECTIVE MEMBERSHIP MARK (MONGOLS)

Dear Sir or Madam,

Your office has returned to us the application for a collective membership mark for our client. Your office indicates that the serial number "misassigned." In addition, we received a refund check for the application fee which we paid.

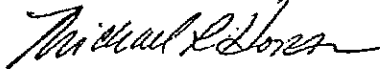
The only reason given by your office was for the return of the application was that "[T]he identification of goods and/or services was omitted from the application."

Of course, there was no identification of goods and/or services because the application was to register a collective membership mark. The application also complied with the requirements for registration of a collective membership mark. See Trademark Manual of Examining Procedure (TMEP) 1304.09(b) which states "and identification of goods and services is not appropriate in connection with a collective membership mark. The purpose of a collective membership mark is to indicate membership in a an organization." The application does show the purpose for the association.

We are returning herewith the application, together with the three specimens and a check for the filing fee. We request reinstatement of the initial filing date of January 28, 2003. Please note one additional point. Your letter stating that the application was returned is dated May 20, 2003 but that date is not the mailing date of that letter. Instead, the mailing date was May 29, 2003 and we enclose a copy of the postmark to demonstrate out point. Therefore this request for reinstatement of the application is made timely.

Please correct the error in the handling of this application by your office and reinstate the serial number and the filing date.

Very truly yours,
Creskoff & Doram LLP



Michael R. Doram

**APPLICATION FOR REGISTRATION OF TRADEMARK
ON THE PRINCIPAL REGISTER -ACTUAL USE
(Association)**

MARK: MONGOLS
U.S. Class No. 200

To the Assistant Commissioner of Patents and Trademarks:

Applicant: Mongol Nation
705 W. Foothill Blvd.
Azusa, CA 91702

The Applicant is an unincorporated non-profit association existing under the laws of the State of California. The Applicant is a social club. The Applicant requests registration of the above-identified trademark, shown in the accompanying drawing, in the United States Patent & Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. §1051) as amended.

Collective Membership Mark: MONGOLS

The mark is a Collective Membership mark indicating membership in an association of persons interested in the recreation of riding motorcycles.

The Applicant has adopted the mark as a symbol of membership in the association and exercises control in commerce as a collective membership mark. (15 U.S.C. §1051(a)) Three (3) specimens showing the mark as used in commerce are submitted with this Application.

The mark was first used anywhere by members of the Applicant to indicate membership on January 20, 1969 and Applicant is now exercising legitimate control in interstate commerce by its members.

The manner of control of the mark is as follows:


The only persons entitled to use or display the mark are Members in good standing of the association. The mark is displayed on a membership card given to a member of the association at the time membership is granted. The association controls the use of the mark by members in the following manner: An applicant for membership in the association, following completion of all requirements for initiation and membership, receives the membership patch. In accordance with the bylaws of the association, the membership patch can only be worn by a member and only if the member is in good standing. Any breach of the rules of the association requires that the membership patch be returned and membership in the association be cancelled.

Applicant hereby appoints **Michael R. Doram**, an attorney at law and admitted to practice before the Supreme Court of California, whose address is **Creskoff & Doram LLP**, 1028 North Lake Avenue, Suite 202, Pasadena, California 91104, as its attorney, with full power of substitution and revocation, to prosecute this application to register, to transact all business in the Patent and Trademark Office in connection therewith and to receive the Certificate of Registration.

Please direct all correspondence and telephone inquiries regarding this application to Michael R. Doram at the address listed and to the following telephone number: (626) 296-9161. In addition, the USPTO is authorized to communicate with Applicant's attorney at the following e-mail address: **mdoram@deltanet.com**.

The undersigned, **RUBEN CAVAZOS**, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she properly authorized to execute this Application and make this declaration; that he/she believes the Applicant is the owner of the collective membership trademark sought to be registered, or, if the application is being filed under 15 U.S.C. 1051 (b), he/she believes Applicant is entitled to use such mark in commerce; that to the best of his/her knowledge and belief no other person, firm, corporation or association has the right to use the above identified mark in commerce, either in the form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods of another person, to cause confusion, or to cause mistake, or to deceive; that all statements made of his own knowledge are true, and that all statements made on information and belief are believed to be true. These statements are made under penalty of perjury under the laws of the United States of America.

Date: October 4, 2002

By: 
Title: Chief Executive Officer

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 2,916,965

Registered Jan. 11, 2005

**SERVICE MARK
PRINCIPAL REGISTER**

MONGOLS

MONGOL NATION (CALIFORNIA UNINCORPORATED NON-PROFIT ASSOCIATION)

705 W. FOOTHILL BLVD.

AZUSA, CA 91702

FOR: ASSOCIATION SERVICES, NAMELY, PROMOTING THE INTERESTS OF PERSONS INTERESTED IN THE RECREATION OF RIDING

MOTORCYCLES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 1-20-1969; IN COMMERCE 1-20-1969.

SER. NO. 76-532,713, FILED 7-28-2003.

FLORENTINA BLANDU, EXAMINING ATTORNEY